

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

AARON ABEL,)	
)	
Plaintiff,)	Case No.
)	
-vs-)	
)	
BIG LOTS STORES, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C §§ 1331, 1441 and 1446, Defendant Big Lots Stores, Inc. (“**Big Lots**”), by and through its undersigned counsel, hereby removes the above-entitled action from the Court of Common Pleas of Philadelphia County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania, on the basis of the following facts:

A. FEDERAL QUESTION JURISDICTION

1. Plaintiff Aaron Abel has commenced an action against Big Lots in Pennsylvania state court alleging a claim under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. (“**FCRA**”). Because this action involves a claim brought under the laws of the United States, this Court has original jurisdiction over such claims, and the case is therefore properly removed to this Court. *See* 28 U.S.C. §§ 1331, 1441(a).

B. BIG LOTS’ NOTICE OF REMOVAL IS TIMELY

2. On or about November 2, 2015, Plaintiff filed this action in the Court of Common Pleas of Philadelphia County, Pennsylvania captioned *Aaron Abel v. Big Lots Stores, Inc.*, Case No. 000286.

3. On or about November 5, 2015, Big Lots received a copy of the Complaint. Pursuant to 28 U.S.C. § 1446(a), a true and accurate copy of all process, pleadings, and orders served upon Big Lots in the action is attached hereto as **Exhibit A**.

4. This Notice of Removal is filed within 30 days of receipt by Big Lots of the initial pleading setting forth the claims for relief upon which the action is based. 28 U.S.C. § 1446(b).

C. REMOVAL IS PROPER PURSUANT TO 28 U.S.C. §§ 1441 AND 1446

5. As explained above, this Court has original jurisdiction over this Federal-question action under 28 U.S.C. § 1331. Pursuant to 28 U.S.C. §§ 1441 and 1446, removal of the above-captioned state court action to this Court is appropriate.

6. This action is properly removed to the United States District Court for the Eastern District of Pennsylvania, because it is the district embracing Philadelphia County, Pennsylvania, where the state court action is pending. 28 U.S.C. §§ 1441(a).

7. Written notice of the filing of this Notice of Removal is being promptly provided to counsel for all adverse parties. 28 U.S.C. § 1446(d).

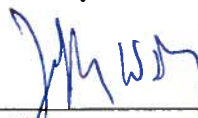
8. A copy of this Notice of Removal is being filed with the Prothonotary of the Court of Common Pleas of Philadelphia County, Pennsylvania. 28 U.S.C. § 1446(d). A copy of the Notice to the Court of Common Pleas of Philadelphia County of the Filing of Notice of Removal is attached hereto as **Exhibit B**.

9. Big Lots reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendant Big Lots Stores, Inc. gives notice that the above-described action against it in the Court of Common Pleas of Philadelphia County is removed to this Court.

Respectfully submitted,

Date: November 25, 2015



Jeffrey W. Duffy (PA 81670)

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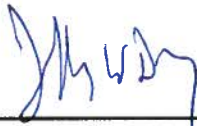
Attorneys for Defendant Big Lots Stores, Inc.

CERTIFICATE OF SERVICE

I, Jeffry W. Duffy, hereby certify that on November 25, 2015, I caused the foregoing
Entry of Appearance to be served by first class mail upon the following counsel of record:

R. Andrew Santillo, Esq.
Winebrake & Santillo, LLC
Twining Office Center
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Dresher, PA 19025

Attorneys for Plaintiff Aaron Abel



Jeffry W. Duffy